

DECLARATION AND POWER OF ATTORNEY

COPY FOR CONTINUING APPLICATION

As a below named inventor, I hereby declare that

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

RECOMBINANT CELLS THAT HIGHLY EXPRESS CHROMOSOMALLY-INTEGRATED HETEROLOGOUS GENES

the specification of which (check one)

☐ is attached hereto☒ was filed on December 27, 1994 as Application Serial No. 08/363,868 and was amended on December 27, 1994 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS: PATENTED, PENDING, ABANDONED
08/013,658	February 4, 1993	Pending
07/946,290	September 17, 1992	Abandoned
07/624,227	December 7, 1990	Abandoned
07/352,062	May 15, 1989	U.S. Patent No. 5,000,000
07/239,099	August 31, 1988	Abandoned

I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; John J. Feldhaus, Reg. No. 28,822; Donald D. Jeffery, Reg. No. 19,980; Eugene M. Lee, Reg. No. 32,039; Peter G. Mack, Reg. No. 26,001; Brian J. McNamara, Reg. No. 32,789; Sybil Meloy, Reg. No. 22,749; George E. Quillin, Reg. No. 32,792; Colin G. Sandercock, Reg. No. 31,298; Bernhard D. Saxe, Reg. No. 28,665; Richard L. Schwaab, Reg. No. 25,479; Arthur Schwartz, Reg. No. 22,115; Harold C. Wegner, Reg. No. 25,258.

Send all correspondence to FOLEY & LARDNER, 3000 K Street, N.W., Suite 500, Washington, DC 20007-5109. Address telephone communications to Stephen A. Bent at (202) 672-5300.

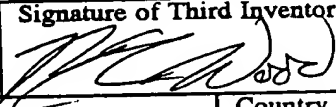
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First or Sole Inventor Lonnie O. INGRAM	Signature of First or Sole Inventor	Date
Residence Address Gainesville, Florida 32605	Country of Citizenship U.S.A.	
Post Office Address 3408 North West 27th Terrace, Gainesville, Florida 32605		

Signatures should conform to names as typewritten. ☒ Additional inventors on attached Page 2.

This Page Blank (uspto)

Full Name of Second Inventor <i>Kazuyoshi OHTA</i>	Signature of Second Inventor	Date
Residence Address <i>Gainesville, Florida 32607</i>		Country of Citizenship <i>Japan</i>
Post Office Address <i>3461 Southwest 2nd Avenue, Apt. 341, Gainesville, Florida 32607</i>		

Full Name of Third Inventor <i>Brent E. WOOD</i>	Signature of Third Inventor 	Date <i>2/20/95</i>
Residence Address <i>Gainesville, Florida 32607</i>		Country of Citizenship <i>U.S.A.</i>
Post Office Address <i>3631 Southwest 20th Lane, Apt. 5, Gainesville, Florida 32607</i>		

001220" 09002960

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the specification of which (check one)

☐ is attached hereto

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First or Sole Inventor Lorrie O. INGRAM	Signature of First or Sole Inventor <i>Lorrie O. Ingram</i>	Date 3/6/95
Residence Address Gainesville, Florida 32605	Country of Citizenship U.S.A.	
Post Office Address 3408 North West 27th Terrace, Gainesville, Florida 32605		

Signatures should conform to names as typewritten. ■ Additional inventors on attached Page 2.

Full Name of Second Inventor <i>Kazuyoshi OHTA</i>		Signature of Second Inventor	Date
Residence Address <i>Gainesville, Florida 32607</i>		Country of Citizenship <i>Japan</i>	
Post Office Address <i>3461 Southwest 2nd Avenue, Apt. 341, Gainesville, Florida 32607</i>			

Full Name of Third Inventor <i>Brent E. WOOD</i>		Signature of Third Inventor	Date
Residence Address <i>Gainesville, Florida 32607</i>		Country of Citizenship <i>U.S.A.</i>	
Post Office Address <i>3631 Southwest 20th Lane, Apt. 5, Gainesville, Florida 32607</i>			

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Post Office Address 3408 North West 27th Terrace, Gainesville, Florida 32605		

Signatures should conform to names as typewritten. ☒ Additional inventors on attached Page 2.

Full Name of Second Inventor Kazuyoshi OHTA	Signature of Seco. Inventor <i>Kazuyoshi Ohta</i>	Date February 23, 1995
Residence Address Gainesville, Florida 32607	Country of Citizenship Japan	
Post Office Address 3461 Southwest 2nd Avenue, Apt. 341, Gainesville, Florida 32607		

Full Name of Third Inventor Brent E. WOOD	Signature of Third Inventor	Date
Residence Address Gainesville, Florida 32607	Country of Citizenship U.S.A.	
Post Office Address 3631 Southwest 20th Lane, Apt. 5, Gainesville, Florida 32607		

09620060-072100

1.9(f) & 1.27(e)-SMALL BUSINESS CONCERN

Inventor or Patentee: Lonnie Ingram, Kazuyoshi Ohta, Brent E. Wood

Patent No.: 08/363,868

Issued: December 27, 1994

RECOMBINANT CELLS THAT HIGHLY EXPRESS CHROMOSOMALLY INTEGRATED HETEROLOGOUS GENES

I declare that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN University of Florida Research Foundation, Inc.ADDRESS OF SMALL BUSINESS CONCERN 223 Grinter Hall
Gainesville, Florida 32611

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12 and 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the small business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with respect to the invention described in:

- ☐ the specification filed herewith with title as listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
- ☒ each such person, concern or organization is listed below.

BC International Corporation
990 Washington Street, Suite 104
Dedham, Massachusetts 02026

Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity would no longer be appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the granting of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

SIGNATURE OF PERSON SIGNING Ronald M. KudlaSIGNATURE OF PERSON IF OTHER THAN OWNER Director, Office of Technology LicensingADDRESS OF PERSON SIGNING University of Florida, 1938 W. University Avenue, Gainesville, FL 32603SIGNATURE Ronald M. Kudla DATE May 19, 1998

**VERIFIED STATEMENT CLAIMING SMALL BUSINESS ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN**

**KEY NUMBER: UF-0332BAFA
(UF-1341)**

Applicant or Patentee: Lonnie Ingram, Kazuyoshi Ohta and Brent E. Wood

Serial or Patent No.: 08/363,868

Filed or Issued: December 27, 1994

Title: RECOMBINANT CELLS THAT HIGHLY EXPRESS CHROMOSOMALLY INTEGRATED HETEROLOGOUS GENES

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN BC International Corporation

ADDRESS OF SMALL BUSINESS CONCERN 990 Washington Street, Suite 104

Dedham, Massachusetts 02026

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☐ the patent identified above.

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Each person, concern or organization having any rights in the invention is listed below:

☐ no such person, concern, or organization exists.

☒ each such person, concern or organization is listed below.

University of Florida Research Foundation, Inc.
223 Grinter Hall
Gainesville, Florida 32611

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NAME OF PERSON SIGNING Stephen J. Gatto

TITLE OF PERSON IF OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING 990 Washington Street, Suite 104, Dedham, Massachusetts 02026

SIGNATURE Stephen J. Gatto DATE 5/11/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the patent of: Lonnie O. Ingram et al.

Serial No.: 09/134,403

Filed: August 14, 1998

For: RECOMBINANT CELLS THAT HIGHLY
EXPRESS CHROMOSOMALLY-INTEGRATED
HETEROLOGOUS GENES

Attorney Docket No.: BCI-0092CCPCN (UF#
10021)

Assistant Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

January 4, 1999
Date of Signature and of Mail Deposit

By:

Linda M. Chinn
Linda M. Chinn
Reg. No. 31,240
Attorney for Applicant

REVOCATION OF PRIOR POWERS OF ATTORNEY
AND APPOINTMENT OF NEW POWER OF ATTORNEY

Dear Sir:

University of Florida Research Foundation, Inc., the Assignee of the entire right, title and interest in the above-identified patent by virtue of the Assignment document recorded in the U.S. Patent and Trademark Office for U.S.S.N. 08/363,868 filed December 27, 1994, now U.S. Patent No. 5,821,093 of which this application is a continuation, on March 7, 1995 (reel 7391, frame 0909), hereby revokes all Powers of Attorney with respect to that application/patent heretofore granted and appoints the below listed attorneys with full power of substitution and revocation to transact all business in the Patent Office connected therewith.

001220 0902960

W. Hugo Liepmann
James E. Cockfield
Thomas V. Smurzynski
Ralph A. Loren
Giulio A. DeConti, Jr.
Ann Lamport Hammitte
Elizabeth A. Hanley
John V. Bianco
Amy E. Mandragouras
Anthony A. Laurentano
Jane E. Remillard
Nicholas P. Triano III

Reg. No. 20,407
Reg. No. 19,162
Reg. No. 24,798
Reg. No. 29,325
Reg. No. 31,503
Reg. No. 34,858
Reg. No. 33,505
Reg. No. 36,748
Reg. No. 36,207
Reg. No. 38,220
Reg. No. 38,872
Reg. No. 36,397

Jeremiah Lynch
Lawrence E. Monks
David A. Lane, Jr.
Catherine J. Kara
Scott D. Rothenberger
Linda M. Chinn
Kevin J. Canning
Faustino A. Lichauco
C. Eric Schulman
Jeanne M. DiGiorgio
Megan E. Williams
Reza Mollaaghababa


Reg. No. 17,425
Reg. No. 34,224
Reg. No. 39,261
Reg. No. 41,106
Reg. No. 41,277
Reg. No. 31,240
Reg. No. 35,470
Reg. No. 41,942
Reg. No. 43,350
Reg. No. 41,710
Reg. No. 43,270
Reg. No. P43,810

of LAHIVE & COCKFIELD, LLP, 28 State Street, Boston, Massachusetts 02109, United States of America.

Please send all correspondence relating to the above patent application to:

Elizabeth A. Hanley
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
(617) 227-7400

UNIVERSITY OF FLORIDA RESEARCH FOUNDATION, INC.

By: 

Typed Name: Ronald M. Kudla

Title: Director, Office of Technology Licensing

Dated: 12/14/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Ingram *et al.*

Serial No.: Unknown

Filed: Herewith

For: RECOMBINANT CELLS THAT HIGHLY
EXPRESS CHROMOSOMALLY-
INTEGRATED HETERLOGOUS GENES

Attorney Docket No.: BCI-0092CCPCN2

Group Art Unit: 1631

Examiner: Brusca, J.

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

ASSOCIATE POWER OF ATTORNEY

Sir:

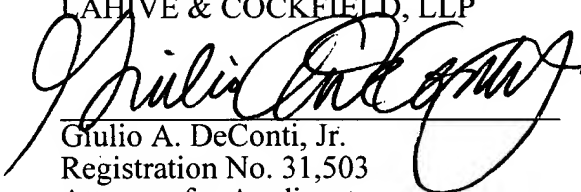
The undersigned attorney, who has a power of attorney in the above-identified application, hereby grants an associate power to:

Peter C. Lauro, Esq..
Registration No. 32,360 and
Chi Suk Kim, Esq..
Registration No. 42,728, both of
Lahive & Cockfield, LLP
28 State Street
Boston, MA 02109

Please continue to forward all written and telephonic communications to
Elizabeth A. Hanley, Esq. at the address and telephone number listed below.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP


Giulio A. DeConti, Jr.
Registration No. 31,503
Attorney for Applicants

28 State Street
Boston, MA 02109
Tel. (617) 227-7400
Date: July 21, 2000

001220-09002950

